

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KEVIN LOWE,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE, OFFICE
OF INFORMATION POLICY,

Defendant.

No. 23 Civ. 1593 (JPC)

ORDER OF SERVICE

JOHN P. CRONAN, United States District Judge:

Plaintiff, who is a federal prisoner on home confinement, brings this *pro se* action under the Freedom of Information Act, 5 U.S.C. § 552. By order dated March 21, 2023, the Court granted Plaintiff's request to proceed *in forma pauperis*, that is, without prepayment of fees.

DISCUSSION

To allow Plaintiff, who is proceeding *in forma pauperis*, to effect service on Defendant U.S. Department of Justice, Office of Information Policy through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (USM-285 form) for the Defendant. The Clerk of Court is further instructed to: (1) mark the box on the USM-285 form labeled "Check for service on U.S.A."; and (2) issue a summons and deliver to the Marshals Service a copy of this order and all other paperwork necessary for the Marshals Service to effect service on the United States.

It is Plaintiff's responsibility to ensure that service is made within 90 days of the date the summons is issued and, if necessary, to request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012). Plaintiff also must notify the Court in writing if Plaintiff's address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION

The Clerk of Court is instructed to fill out a USM-285 form for Defendant U.S. Department of Justice, Office of Information Policy. The Clerk of Court is further instructed to: (1) mark the box on the USM-285 form labeled “Check for service on U.S.A.”; and (2) issue a summons and deliver to the Marshals Service a copy of this order and all other paperwork necessary for the Marshals Service to effect service on the United States.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: March 24, 2023
New York, New York



JOHN P. CRONAN
United States District Judge

DEFENDANTS AND SERVICE ADDRESSES

1. U.S. Department of Justice
Office of Information Policy
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Washington, D.C. 20530-001